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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/785,544

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5200

7590

05/04/2006

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EXAMINER

TRAN, DALENA

ART UNIT

PAPER NUMBER

3661

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/785,544	<b>Applicant(s)</b> GEIGER ET AL.	
	<b>Examiner</b> Dalena Tran	<b>Art Unit</b> 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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## **DETAILED ACTION**

### **Notice to Applicant(s)**

1. This office action is responsive to the amendment filed on 2/9/06. As per request, claims 1, and 23 have been amended. Claims 1-24 are pending.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 5-24, are rejected under 35 U.S.C.103(a) as being unpatentable over Hirota et al. (5568390) in view of Kadaba et al. (6298305).

As per claims 1, and 24, Hirota et al. disclose a navigation system for use in a motor vehicle, comprising: a data input unit through which a user enters destination position data (see at least column 6, lines 46-56; and column 8, lines 31-41), a first non-volatile memory unit stores a basic navigation database including road map information (see at least columns 5-6, lines 31-3; and column 15, lines 24-36), a communication unit that receives supplemental navigation data including digital road maps information, provides receives supplemental navigation data, and a second memory unit that receives and stores the received supplemental navigation data (see at least column 6, lines 4-32), a navigation computer receives start and destination position data, and computes driving directions between the starting and destination position using information from the basic navigation database and the supplemental navigation data (see at least columns 6-7, lines

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58-53; and columns 8-9, lines 42-43), and a data output unit for outputting the driving direction to the user (see at least the abstract; column 6, lines 34-45; and columns 9-10, lines 65-23). Hirota et al. do not explicitly disclose what type of memory is the second memory unit. However, Hirota et al. suggested non-volatile memory unit (such as CD-ROM) a map data of a CD-ROM and traffic jam data (abstract, lines 5-6). Therefore, it would have been obvious that the second memory unit can be a non-volatile memory unit. Also, it is well known in the art that the memory that stored data can be a non-volatile memory unit. To modify for the teach of Hirota et al. about a type of memory stored data can be a non-volatile memory unit, Kadaba et al. disclose memory may comprise any of a wide variety of non-volatile memory such as, for example, ROM, CD ROM, or optical disk (see column 3, lines 28-36). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Hirota et al., by combining a data memory can be a non-volatile memory unit so the data stored not lost when the power is being turn off or interrupted, therefore the information do not have to be restored or to be resent from the provider.

As per claims 2, Hirota et al. disclose communication unit includes a wireless receiver that receives the supplemental data (see at least column 6, lines 4-32).

As per claim 5, Hirota et al. disclose data output unit comprises a display for presenting driving directions to the user (see column 6, lines 46-57)

As per claim 6, Hirota et al. disclose supplemental navigation data comprises graphic data for presentation on display (see at least column 8, lines 11-29).

As per claims 7, 11, and 20, Hirota et al. disclose first non-volatile memory unit comprises a compact disk, a read only memory (see at least the abstract).

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As per claims 8-10,12-14, and 21-22, Hirota et al. do not disclose the memory unit comprises a digital video disk, hard disk, flash random access memory, and dynamic random access memory. However, Kadaba et al. disclose the memory unit comprises a digital video disk, hard disk, flash random access memory, and dynamic random access memory (see at least column 3, lines 28-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Hirota et al., by combining a data memory comprises a digital video disk, hard disk, flash random access memory, and dynamic random access memory to include available different type of memory unit depend on the system design, such as type of data stored, cost effective, or available space in a computer medium, because some of these memory unit can be expense and big.

As per claim 15, Hirota et al. disclose navigation computer, data input unit, data output unit, first, second memory, and communication unit are arranged in a ring communication network (see at least columns 5-6, lines 31-3).

As per claims 16-17, Hirota et al. disclose a position locating unit comprises a GPS receiver (see at least column 5, lines 31-37).

As per claim 18, Hirota et al. disclose received supplemental navigation data comprises data for used by navigation computer to provide routine search and destination directions relating to a starting position, an intermediate destination, and a final destination specified by the user (see at least columns 10-11, lines 24-20).

As per claim 19, Hirota et al. disclose communication unit comprises a memory input port configured to receive a data medium that includes supplemental navigation data (see at least column 6, lines 4-32).

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Claim 23, is a method claims corresponding to system claims 1 and 24 above.

Therefore, it is rejected for the same rationales set forth as above.

4. Claim 3, is rejected under 35 U.S.C.103(a) as being unpatentable over Hirota et al. (5568390), and Kadaba et al. (6298305) as applied to claim 2 above, and further in view of Drury et al. (6,707,421).

As per claim 3, Hirota et al., and Kadaba et al. do not disclose GSM receiver. However, Drury et al. disclose wireless receiver includes a GSM receiver (see at least column 6, lines 8-28). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Hirota et al., and Kadaba et al. by combining GSM receiver to provide a short message communication between a vehicle and a provider for providing services including traffic and navigation services, as well as other information services to a driver.

5. Claim 4, is rejected under 35 U.S.C.103(a) as being unpatentable over Hirota et al. (5568390), and Kadaba et al. (6298305) as applied to claim 2 above, and further in view of Aarino (6,522,889).

As per claim 4, Hirota et al., and Kadaba et al. do not disclose Bluetooth compatible communication. However, Aarino discloses wireless receiver receives supplemental navigation data via a Bluetooth compatible communication protocol (see at least columns 3-4, lines 15-27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Hirota et al., and Kadaba et al. by combining wireless receiver receives supplemental navigation data via a Bluetooth compatible communication protocol to reduce an interferer causing problems in the reception of a signal.

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**Remarks**

6. Applicant's argument filed on 2/9/06 has been fully considered. Upon updated search, the new ground of rejection has been set forth as above.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalena Tran whose telephone number is 571-272-6968.

The examiner can normally be reached on M-F 6:30 AM-4:00 PM), off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on 571-272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner

Dalena Tran



April 29, 2006